

TSHWANE CHESS

Region

CONSTITUTION

1. NAME

The name of the region shall be the “Tshwane Chess” hereinafter “the Region”

2. DOMICILE

The domicile and seat of management of Tshwane Chess shall be deemed to be situated at the residential address of the President at the time per the minutes of the last election, as published, provided that it shall always be at a place within the Tshwane Region.

3. MISSION

Tshwane Chess is a voluntary association with the following mission:

- to bring together all people interested in chess;
- to promote the highest possible standards of chess;
- to promote the interests of chess amongst all its members;
- to represent its members and foster their interests at all official levels.

4. DEFINITIONS

For the purposes of this Constitution, the following words and expressions shall have the following meanings unless the subject or context indicates otherwise:

- 4.1. A.G.M:** Annual General Meeting of the members and Executive Board.

- 4.2. CHESS S.A.:** the body recognized by SASCOG as the organization responsible for CHESS in the Republic of South Africa.
- 4.3. CLUB:** any CHESS club that caters for any discipline of CHESS in a local district or area, and which is a member of a Regional Chess Body or whose interests are represented by such Regional Chess Body.
- 4.4. EXBO:** The Executive board is the body of Officials selected by the members and the Ex-Officio officials appointed by the Management committee.
- 4.5. FINANCIAL YEAR:** The annual period as from 1st January to 31st December.
- 4.6. FIDE:** the World Chess Federation known as Fédération Internationale de Échecs, being the supreme controlling body of Chess at global and continental levels.
- 4.7. HE/HIM/HIS:** In this document these words also include the corresponding female gender.
- 4.8. MANCOM:** The Management Committee established in terms of par. 10.2 below.
- 4.9. MEMBER:** A person or Body who qualifies as a member in terms of par. 7 below.
- 4.10. OFFICIAL:** a member of the Executive Board.
- 4.11. O.G.M.:** Meeting of Members other than an A.G.M. or Special General Meeting convened in terms of this Constitution.
- 4.12. PROXY:** The written authorization to act in place of the signer on actions as stipulated on the form.
- 4.13. REPRESENTATIVE:** A Person appointed in writing by a Corporate Member or a Special member to represent such Member.
- 4.14. S.G.M.:** Special General Meeting.
- 4.15. SASCOG:** South African Sport Confederation and Olympic Committee approved by SRSA as the governing body of Sport in the Republic of South Africa.
- 4.16. SRSA:** The Department of Sport & Recreation in South Africa.
- 4.17. TSHWANE REGION:** The area as per the Geo Political Regions prescribed by SASCOG.

5. MAIN OBJECTIVES

- 5.1.** The main business of the Region is to act as the regional controlling and administrative body of chess in its geographical area of jurisdiction subject to the authority of CHESS S.A. and the Province and in conformity with the constitutions of CHESS S.A. and the Province.
- 5.2.** The Region shall at all times remain affiliated to the Province and Tshwane Sports Council.
- 5.3.** To actively market and promote chess as a sport, recreational and educational activity in Tshwane
- 5.4.** To foster a spirit of healthy competition, sportsmanship and fair play among players of all races, gender and ages.
- 5.5.** To co-ordinate, administer and promote chess in a non-racial and democratic way and to provide equal rights to all players and administrators in the Tshwane region and under its jurisdiction.
- 5.6.** To perform any function that may be thought necessary for the furtherance of the above objective, such as to organize tournaments, leagues, visits of chess masters or teams.
- 5.7.** To represent its members and to promote and advance the interest of its members.
- 5.8.** To select players to represent Tshwane Chess in Regional and National Competition.
- 5.9.** To uphold and enforce the rules of CHESS as prescribed by FIDE from time to time and to encourage and promote the highest standard of sporting behavior in connection with the playing of CHESS.
- 5.10.** To encourage the qualification of individuals as arbiters, trainers and tournament organizers.
- 5.11.** The Region may affiliate with any other body or sporting code with compatible aims with a view to enhancing the interests and status of chess within its area of jurisdiction.



6. MEMBERSHIP

The membership of Tshwane Chess has to be approved by EXBO and shall comprise the following categories of membership:

6.1. Ordinary member

Membership of the Region is restricted to Clubs functioning within the regional boundaries of the Region as may be accepted as members by the Regional Council.

- 6.1.1.** The Clubs eligible for membership shall be school clubs, tertiary education clubs, ethnic clubs, community clubs and any other clubs where individuals meet at a regular venue at regular times for purposes of playing or promoting chess.
- 6.1.2.** Executive Board may fix fees payable by the members from time to time.
- 6.1.3.** All applications for membership must be done online and shall include the following:
 - 6.1.3.1.** The name of the Club;
 - 6.1.3.2.** The venue and time of its regular meetings;
 - 6.1.3.3.** The names, postal and email addresses and telephone numbers of the managing committee;
 - 6.1.3.4.** The postal address of the body, which preferably should be a permanent address of assembly and does not change with the election of a new committee;
 - 6.1.3.5.** The Bank account details in the Club's name;
 - 6.1.3.6.** The number of its members;
 - 6.1.3.7.** The Clubs' entrance fee and annual subscription rate;
 - 6.1.3.8.** Minutes of the last AGM;
 - 6.1.3.9.** Proof of the democratic election of its office bearers where elections took place;

6.1.3.10. A copy of the Club's constitution;

6.1.3.11. Proof of Payment of the Region's annual levy;

6.1.4. A register of its members differentiated between junior, adult and senior players, as well as between male and female players shall be kept of all members.

6.1.5. All new applications for membership as well as annual applications for renewal of membership must be accompanied by payment of the prescribed fee, par 6.1.2, before 28 February of each year.

6.2. Special Member:

6.2.1. The schools chess association(s)/body(ies) in the Tshwane Region shall be a permanent member of Tshwane Chess.

6.2.2. The tertiary chess association(s)/body(ies) in the Tshwane Area shall be a permanent member of Tshwane Chess.

6.3. Honorary Member:

Honorary membership can be awarded to players/officials on basis of merit as decided by the executive from time to time.

7. MEETINGS OF TSHWANE CHESS

7.1. ANNUAL GENERAL MEETING ("A.G.M.")

7.1.1. An A.G.M. shall be held once in every year, provided that unless there is good reason to the contrary, the A.G.M. shall be held within 3 (three) months from the end of the financial year and not more than fifteen (15) months after the date of the previous A.G.M.

7.1.2. EXBO shall decide the date, time and place on which each A.G.M. shall be held.

7.1.3. Notice of each A.G.M. shall be sent to all the Members, not less than 14 (fourteen) days prior to the date of the A.G.M.

- 7.1.4. Not less than 14 (fourteen) days prior to the date of any A.G.M., copies of the Agenda for that A.G.M. and the Annual Financial Statements for the financial year preceding the date of the A.G.M. shall be disseminated to all Members, by electronic mail.
- 7.1.5. Proper minutes shall be kept.
- 7.1.6. The quorum of the Annual general meetings shall be a third of the members and Officials.
- 7.1.7. If no quorum is present at the start of the meeting, the meeting shall be postponed for half an hour. If still no quorum is present the meeting shall be postponed for at least a week. The meeting shall then be held in the normal way whether a quorum is present or not. All members shall be informed verbally of such a meeting.
- 7.1.8. The minutes from the meeting will be distributed within 14 days of the A.G.M. to the Executive Board and within 30 days to the members.

7.2. ORDINARY GENERAL MEETING

- 7.2.1. Tshwane Chess shall hold at least one ordinary meeting in the second part of each calendar year.
- 7.2.2. EXBO shall decide the date, time and place on which each O.G.M. shall be held.
- 7.2.3. Notice of each O.G.M. shall be sent to all the Members, not less than 14 (fourteen) days prior to the date of the O.G.M.
- 7.2.4. Not less than 14 (fourteen) days prior to the date of any O.G.M., copies of the Agenda for that O.G.M. shall be disseminated to all Members, by electronic mail.
- 7.2.5. Proper minutes shall be kept.
- 7.2.6. The quorum of the Ordinary General meetings shall be a third of the members and Officials.
- 7.2.7. If no quorum is present at the start of the meeting, the meeting shall be postponed for half an hour. If still no quorum is present the meeting shall be postponed for at least a week. The meeting shall then be held in the normal way whether a

quorum is present or not. All members shall be informed verbally of such a meeting.

- 7.2.8. The minutes from the meeting will be distributed within 14 days of the O.G.M. to the Executive Board and within 30 days to the members.

8. SPECIAL GENERAL MEETING

8.1. An S.G.M. of Members shall be convened:

8.1.1. By resolution of EXBO, or

8.1.2. Upon the written requisition of any 10% (ten percent) of members addressed and sent to the President and Secretary which written requisition shall state the exclusive purpose for which the S.G.M. is to be called and the text of the motion to be put to the meeting.

8.2. The President and Secretary shall, upon receiving such notification, call the meeting to be held within three weeks thereafter and shall send written notification to all Members, which notice shall specify the date, time and place of the S.G.M., (which date, time and place shall have been determined by EXBO) provided that the date shall not be more than 21 (twenty-one) days and not less than 7 (seven) days after the date of posting the notice, together with written notification of the purpose of and measures to be transacted at the S.G.M. and the text of the motions to be put to and considered by the meeting.

8.3. No business other than that stated in the notification shall be transacted at the S.G.M.

8.4. Proper minutes shall be kept.

8.5. The quorum of the Special General meetings shall be a third of the members and Officials.

8.6. If no quorum is present at the start of the meeting, the meeting shall be postponed for half an hour. If still no quorum is present the meeting shall be postponed for at least a week. The meeting shall then be held in the normal way whether a quorum is present or not. All members shall be informed verbally of such a meeting.

- 8.7.** The minutes from the meeting will be distributed within 14 days of the S.G.M. to the Executive Board and within 30 days to the members.

9. VOTING

9.1. VOTING RIGHTS AT MEETINGS OF TSHWANE CHESS

9.1.1. Members shall be entitled to the following votes:

- 9.1.1.1.** Each paid up Member in good standing shall have 1 (one) vote,
- 9.1.1.2.** Special member OR his representative shall have 1 (one) vote.
- 9.1.1.3.** Each member of Exco present shall have 1 (one) vote and the Chairperson of any general meeting shall have a second or casting vote in the event of an equality of votes.

9.2. VOTING AT MEETINGS OF TSWANE CHESS

- 9.2.1.** Each Member shall be entitled to nominate 1 (one) representative to attend and to vote at any general meeting of the Regional Council.
- 9.2.2.** Vote shall be by a show of hands, unless the EXBO otherwise directs.
- 9.2.3.** In the event of the vote being a secret ballot, the Chairperson shall appoint at least two persons from the persons present, acceptable to the majority of the Members present, to distribute and collect the ballot papers, to count and verify the results and to advise the Chairperson of the result.
- 9.2.4.** The persons so appointed shall, at the end of the meeting, destroy all ballot papers.

- 9.2.5.** All decisions, unless otherwise stated in this Constitution, shall be taken the majority vote. In the event of a tie as second vote shall be taken. If this also fails to break the tie, President shall have a casting vote.
- 9.2.6.** No Member shall be entitled to vote at the A.G.M, O.G.M or a S.G.M unless he is 18 years of age on the day the vote takes place.

9.3. VOTING BY PROXY

- 9.3.1.** A Member may vote by proxy provided that such a proxy is confirmed in writing by the Member or Member body represented and handed to the secretary before the start of the meeting
- 9.3.2.** No person can have more than 3 (three) written proxies at any given time.

10. EXECUTIVE BOARD (EXBO)

10.1. COMPOSITION

The executive board shall consist of the management committee ("MANCOM") which will be elected as in paragraph 11.1 and 11.2 as well as Ex-officio members as in paragraph 11.3 who will be appointed by the Management Committee.

10.2. MANAGEMENT COMMITTEE

The Management Committee shall attend to the day-to-day activities of Tshwane Chess in accordance with the Executive Boards' decisions and policies.

The management committee shall consist of the following Officials.

10.2.1. President

10.2.2. Vice-President – Youth

10.2.3. Vice-President – Adults, including women and physically challenged players.

10.2.4. Treasurer

10.2.5. Secretary

10.3. EX-OFFICIO MEMBERS:

10.3.1. Director of Development

10.3.2. Director of PR & Media

10.3.3. Director of Arbiters, Managers and Organizers

10.3.4. Director of Registrations and merits

10.3.5. Coordinator of Tournaments

10.3.6. Coordinator of Trainers

10.3.7. Coordinator of Women's Chess players

10.3.8. Coordinator of Physically Challenged Chess players

11. ELECTION OF THE EXECUTIVE BOARD

11.1. The following members of the management committee are elected bi-annually in even numbered years by the members at its A.G.M and staggered to conserve continuity as follows:

11.1.1. President

11.1.2. Treasurer

11.2. The following members of the management committee are elected bi-annually in odd numbered years by the members at its A.G.M and staggered to conserve continuity as follows:

11.2.1. Vice-President – Youth

11.2.2. Vice-President – Adult

11.2.3. Secretary

11.3. EX-OFFICIO OFFICIALS

The Ex-Officio members as below will be appointed by Mancom annually within 30 days after its A.G.M.

- 11.3.1.** Director of Development
- 11.3.2.** Director of PR & Media
- 11.3.3.** Director of Arbiters, Managers and Organizers
- 11.3.4.** Director of Registrations and merits
- 11.3.5.** Coordinator of Tournaments
- 11.3.6.** Coordinator of Trainers
- 11.3.7.** Coordinator of Women's Chess players
- 11.3.8.** Coordinator of Physically Challenged Chess

11.4. NOMINATIONS

- 11.4.1.** Only a person properly nominated and seconded for the positions on the Executive may be elected to those positions. Nominations shall take as follows:
 - 11.4.2.** Nominations shall reach the Secretary at least 3 (three) days before the A.G.M.
 - 11.4.3.** Each Nomination shall be on a separate sheet of A4 paper and must clearly state:
 - 11.4.4.** The position on the Executive for which the person is nominated.
 - 11.4.4.1.** The nominee's full names;
 - 11.4.4.2.** The nominee's date of birth;
 - 11.4.4.3.** The nominee's contact details;
 - 11.4.4.4.** Each nomination shall be accompanied by the full names and signatures of both the Nominator and Secunder;
 - 11.4.4.5.** Any positions on bona fide chess bodies held by the Nominee;

11.4.5. Each nomination shall be accompanied by a signed acceptance of the nomination by the Nominee.

11.4.6. No person shall be entitled to serve on the Executive unless he is 18 years of age on the date the appointment takes place.

11.5. VOTING RIGHTS FOR ELECTIONS

11.5.1. Members shall be entitled to the following votes:

11.5.1.1. Each paid up Member in good standing shall have 1 (one) vote,

11.5.1.2. Special member OR his representative shall have 1 (one) vote,

11.5.1.3. Each member of Exco present shall have 1 (one) vote and the Chairperson of any general meeting shall have a second or casting vote in the event of an equality of votes.

11.6. VOTING

11.6.1. In respect of the vote for the positions on the Executive, the vote shall be by secret ballot.

11.6.2. The Chairperson shall appoint at least two persons from the persons present, acceptable to the majority of the members present, to distribute and collect the ballot papers, to count and verify the results and to advise the Chairperson of the result.

11.6.3. The persons so appointed shall, at the end of the meeting, destroy the ballot papers.

11.6.4. In the event of a tie a second vote shall be taken. If this also produces a tie, the Officials of the outgoing Executive shall each have one additional vote, which they may exercise to break the tie. If there is still a tie, the President shall have a casting vote.

11.7. VOTING BY PROXY

- 11.7.1. A Member may vote by proxy provided that such a proxy is confirmed in writing by the Member or Member body represented and handed to the secretary before the start of the meeting;
- 11.7.2. No person can have more than 3 (three) written proxies at any given time-

12. MEETINGS OF THE EXECUTIVE BOARD

12.1. MANAGEMENT COMMITTEE MEETINGS

- 12.1.1. Mancom shall meet as often as is necessary, in the view of the President, to effectively discharge its duties. These meetings may take place in person or by any electronic means;
- 12.1.2. The President, or in his or her absence, one of the Vice-Presidents nominated by the President, shall chair any Mancom meeting;
- 12.1.3. Mancom will function as the decision-making body around policy matters and shall be empowered to take decisions;
- 12.1.4. The President may call on any member of EXBO to attend a Mancom meeting;
- 12.1.5. The minutes of the Mancom meetings must be distributed to all members of EXBO within 10 (ten) working days after the date of the relevant meeting;
- 12.1.6. Each commission can appoint members to help with various aspects within that sphere of chess;
- 12.1.7. The commission of merits shall consist of its chairman as well as 4 (four) other members of whom two shall include the vice-president youth and the vice president-adult.

12.2. EXECUTIVE COMMITTEE MEETINGS

- 12.2.1. At least two meetings of the Executive shall be held between an A.G.M and O.G.M;

- 12.2.2.** A meeting of the Executive will be called by the President on giving written notice of not less than 3 (three) days to all other Executive members;
- 12.2.3.** Proper minutes shall be kept of all meetings held;
- 12.2.4.** The quorum of Executive meetings shall be 50% of the filled positions and include any apologies made for the meeting;
- 12.2.5.** The Executive may co-opt any person temporarily whenever his/her services are required. The co-opted person shall not form part of a quorum and he/she does not have a vote;
- 12.2.6.** If at the start of an Executive meeting a quorum is not present the President at his/her own discretion may postpone or continue the meeting. If the meeting continues it must be approved by the next meeting when and if a quorum is present;
- 12.2.7.** Each Executive member has one vote. If voting results is a tie, the President has the final decisive vote.

13. VACANCIES

- 13.1.** In the event of an office of the Executive becoming vacant before such term of office has expired, due to any reason whatsoever, the Executive shall appoint a person at its discretion to fill such vacancy.

14. SUB-COMMITTEES

- 14.1.** Sub-committees may be appointed at the discretion of EXBO for specific purposes and shall be dissolved on the completion of their task;
- 14.2.** All resolutions shall be decided by a simple majority vote;
- 14.3.** The Convener shall be responsible for the execution of the mandate;
- 14.4.** The President shall have the right to be present at any meeting;
- 14.5.** Proper minutes shall be kept of all meetings held.

15. ENTRANCE FEES AND REGISTRATION FEES

- 15.1.** Entrance fees and Registration fees due to Tshwane Chess by Members shall be as set by the Executive committee from time to time;
- 15.2.** The EXBO may, as it sees fit, request Members to pay levies for particular purposes;
- 15.3.** Registration fees shall be payable annually in advance and not later than 28th February of any particular year;
- 15.4.** Late payments of registration fees shall bear a penalty as decided from time to time by EXBO. First time applications after 28th of February of the current year to Tshwane Chess will be liable for registration fees as determined at the A.G.M;
- 15.5.** Any Member who is in arrears with his dues shall not be allowed to cast a vote at the A.G.M or any S.G.M;
- 15.6.** Any member more than six months in arrears with his dues shall automatically cease to be a Member and a note to this effect shall be recorded against his name in the Member's register;
- 15.7.** The Schools chess association(s)/body(ies) and the Tertiary chess association(s)/body(ies) shall be exempted from any subscription fees;
- 15.8.** Clubs, schools and private entities can be charged a rating and listing fee for tournaments under auspices of Tshwane Chess;
- 15.9.** These fees will be fixed from time to time by EXBO.

16. OBLIGATIONS OF MEMBERS

- 16.1.** To abide strictly by the terms and provisions of this constitution;
- 16.2.** To co-operate at all times with Tshwane Chess in furthering its objectives;
- 16.3.** To act always in good faith towards Tshwane Chess and its Members;
- 16.4.** In the event of a Member contravening any of the above obligations to may be called upon by the Executive Board to

defend its actions and may render itself liable to have its name removed from the register of Members.

17. SELECTION

- 17.1.** It is the ultimate responsibility and prerogative of Tshwane Chess, as represented by the Management Committee, to approve the selection of Regional teams and individuals, coaches and team managers, representing Tshwane Chess;
- 17.2.** The responsibility for selection may be delegated to the appropriate commission with the express understanding that selections by such commissions are subject to ratification by the Management Committee.

18. AFFILIATION

- 18.1.** Tshwane Chess shall affiliate to Gauteng Chess Council.
- 18.2.** Tshwane Chess shall affiliate to the Tshwane Sports Council.
- 18.3.** The President shall act as the Region's representative.
- 18.4.** If the President or both Vice Presidents are unavailable, the Executive shall appoint another representative from among its members.

19. RECORDS

- 19.1.** The Secretary shall keep proper records of all minutes and correspondence.
- 19.2.** The Treasurer shall cause proper records to be kept of the financial affairs of Tshwane Chess and may be called upon to make a report thereupon at any Ordinary meeting or Executive meeting, but must report at the A.G.M.

20. FINANCES

- 20.1.** The financial year of the Region is the 12 (twelve) month period commencing on 1 January in one year and ending on 31 December of the same year;
- 20.2.** The Finance Committee shall be chaired by the Treasurer;
- 20.3.** The Finance Committee shall cause to be prepared an annual budget for the ensuing year to be presented and approved at the first general meeting of the Regional Council each year;
- 20.4.** It shall be a requirement of membership for all Members to submit to the Finance Committee a copy of their financial statements within 3 (three) months from the end of their respective year-ends and the Treasurer shall report to the Regional Council on compliance with this requirement and such matters pursuant thereto that may be relevant to the members of the Regional Council;
- 20.5.** Honorary auditors can be appointed by the EXBO to audit the financial records at the close of the Financial Year.

21. AMENDMENTS TO THE CONSTITUTION

- 21.1.** Any amendments to the constitution can be made at an A.G.M. or a S.G.M. can be called for the purpose of making any amendments.
- 21.2.** The notice of such a meeting shall state fully the proposed wording of all such amendments.
- 21.3.** A majority vote of not less than two thirds of the Members present at such a meeting shall be required to pass any such amendments.

22. GRIEVANCES

- 22.1.** Tshwane Chess shall aim to resolve grievance arising amongst members, associations and or individuals within the Tshwane area.
- 22.2.** Any dispute arising out of, or in connection with, any dispute between the Region and CHESS S.A., or between the Region and the Province, or between the Region and any other Regional sports federation shall be referred to SASCOC or the designated

statutory body determined by the appropriate government department, for resolution through mediation or expedited arbitration in terms of the procedure for the resolution of disputes in sport. In the event of arbitration in terms of the foregoing, such resolution shall be final and binding on the parties to the dispute.

- 22.3.** Any dispute between Members of the Region, or any dispute between members of Exco, or between Exco and a Member, or between Exco or an Exco member and an individual (but excluding disputes concerning an Ethics, Grievances or Selection matter) shall be referred to the Regional Council who may appoint a committee to enquire into the dispute and advise the Regional Council.
- 22.4.** Recourse to the High Courts or Magistrates Courts by a party to any chess-related dispute shall be limited to instances of an alleged violation of the provisions of this Constitution or an alleged disregard for the principles of natural justice or for purposes of obtaining urgent interdictory relief. In all other instances any disputes fall to be decided according to the dispute resolution processes provided for in this Constitution

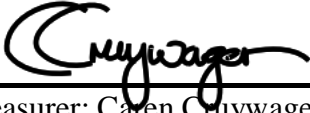
23. DISSOLUTION OF TSWANE CHESS

- 23.1.** A motion to dissolve or wind up Tshwane Chess shall be placed on the agenda of a Special General Meeting (S.G.M.) called specifically for that purpose and shall require a majority vote of no less than three-quarters of the members and Officials present to be passed.
- 23.2.** Upon dissolution or winding up of the Region, all the property and assets of the Region, after payment of all monies owing to any third parties, shall be transferred free of compensation to a similar organisation with similar interest.

Date: 11 June 2015



President: Judy-Marie Steenkamp



Treasurer: Caren Cruywagen

